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April 15, 2024

VIA ECF

Honorable Arun Subramanian
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, N.Y. 10007

Re: Saunders v. Gallery Furniture Design Center, Inc.
1:23-CV-10578 (AS)

Dear Judge Subramanian,

We represent Michael Saunders, the Plaintiff in the above referenced ADA action against Gallery Furniture Design Center, Inc (“Galley Furniture” or “Defendant”). On behalf of both parties, we write now to respectfully request a brief adjournment of the default judgment hearing, from April 16, 2024, to April 30, 2024, or any date thereafter that is acceptable to the Court.

The reason for this application is that our office was finally able to make contact with a representative from Gallery Furniture today, Danielle Elardo. During our conversation, Ms. Elardo expressed that Defendant was not aware of the federal complaint lodged against them. Furthermore, Ms. Elardo claimed that Defendant was not aware of the Order to Show Cause hearing, which is scheduled for telephonic proceedings tomorrow at 4:00 p.m.

While we believe that Defendant was properly served, we also believe it is our duty to ensure that all parties involved in this case are adequately informed and prepared. Therefore, rather than proceed with the default judgment hearing tomorrow, we believe that the better practice is to give Defendant an opportunity to properly appear in this action and take whatever steps it deems necessary with respect to this litigation.

Based on the foregoing, Plaintiff respectfully requests an adjournment of the default judgment hearing, from April 16, 2024, to April 30, 2024, or any date thereafter that is acceptable

to the Court.¹ We believe this adjournment will provide Defendant with the necessary time to review the complaint and other filings and prepare their response.

We thank the Court for its consideration of this request.

JOSEPH & NORINSBERG, LLC

Sincerely,



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The April 16 conference is CANCELED. A joint case-management plan is due by April 19, 2024. The parties shall also propose a new answer deadline by that date.

The Clerk of Court is directed to terminate the motion at Dkt. 20.

SO ORDERED.



Arun Subramanian, U.S.D.J.
Date: April 16, 2024

¹ We apologize for any inconvenience this late application may cause, but it was only this afternoon that we finally were able to speak with a representative from Defendant.